

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NATHANIEL LEE HINES, #452677,

Petitioner,

v.

CASE NO. 2:15-CV-10178  
HONORABLE VICTORIA A. ROBERTS

STATE OF MICHIGAN,

Respondent.

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**ORDER DENYING MOTION FOR SUMMARY JUDGMENT**

Michigan prisoner Nathaniel Lee Hines (“Petitioner”), currently confined at the Macomb Correctional Facility in New Haven, Michigan, submitted a pro se pleading entitled a “Writ of Error” challenging his state criminal proceedings. The Court dismissed the pleading without prejudice for failure to comply with the Federal Rules of Civil Procedure and the Federal Habeas Rules. The matter is now before the Court on Petitioner’s “Motion for Summary Judgment” requesting that his pleading not be summarily dismissed and that he be granted relief on his claims. Given the Court’s prior dismissal order, however, Petitioner’s request for summary judgment is moot.

Moreover, to the extent that Petitioner seeks reconsideration of the Court’s decision, he is not entitled to relief. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction

thereof, as required by Local Rule 7.1(h)(3). The Court properly dismissed without prejudice the “Writ of Error” pleading. Accordingly, the Court **DENIES** Petitioner’s motion.

**IT IS SO ORDERED.**

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: February 3, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record and Nathaniel Hines by electronic means or U.S. Mail on February 3, 2015.

S/Carol A. Pinegar

Deputy Clerk